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SUBJECT: 2006 UPDATED CHILD LABOR INFORMATION

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¶1. (U) Summary. The GDRC has made little progress in combating the worst forms of child labor in this final year of the transitional government. However, with the installation of a new government, 2007 may see some increased efforts to ameliorate this serious problem, as the elected government can now turn its focus to such issues. End Summary.

CHILD LABOR LEGISLATION IN THE DRC

¶2. (U) The GDRC created the long-discussed (reftel B) National Committee to Combat the Worst Forms of Child Labor (NCCL) via a June 10 interministerial decree. The Committee's goals are to develop and assure the implementation of a national strategy to eliminate the worst forms of child labor. Although the committee has reportedly met, it has not begun fulfilling its mandate.

APPLICATION AND ENFORCEMENT OF LAWS

¶3. (U) Child labor law enforcement remains inadequate, particularly in the mining sector. Children work illegally as artisanal miners and in other informal sectors. (See also Post's 2006 Human Rights Report.) Increasing industrialization in the extractive industries sector will likely focus public attention and scrutiny on reducing the number of children working in this sector. However, the government's capacity and will to meaningfully participate in such efforts are unclear, and many firms operating in the sector, including Chinese and Indian-owned operations, have thus far shown little inclination to promote compliance with child labor laws. (Note: A USAID contractor is partnering with select international mining firms - so far only in Katanga province - that have committed themselves to reducing the number of child miners in the DRC. End note.)

¶4. (U) The DRC's Ministry of Labor remains the responsible body for investigating child labor abuses, but there is no dedicated child labor inspection service. NGOs continued to pressure the Transition Ministry of Labor to focus on this problem, with few or no results. In any case, no changes could reasonably occur until after the installation of a new government, particularly as the current Minister of Labor will likely be replaced shortly.

¶5. (U) The DRC's criminal courts will continue to hear child labor complaints until the NCCL forms. NGOs and the ILO have reportedly been active in pushing prosecutors to bring cases against violators of child labor laws.

RELATED POLICIES AND PROGRAMS

16. (U) The GDRC continued to demobilize child soldiers in 2006 through the disarmament, demobilization and reinsertion (DDR) program. The reduction of funding specifically available for child demobilization has resulted in a decrease of the number of NGOs focusing on this process. Further, the process was severely compromised following the arrest of a military commander for recruiting children into the military. UNICEF estimates that 11,000 children still need to be demobilized, while the UNDP's estimates are more than twice that figure.

17. (U) The relatively high direct and opportunity costs of education continue to push children into the informal labor sector, because many parents are unable to simultaneously pay school fees and give up the income their children may earn to help support the family. For budgetary and political reasons, the Ministry of Education did not honor its commitment, made in 2005, to raise and fund teachers' salaries, an action that would have eliminated, at least in theory, the need for parents to pay the teachers. The USG continues to support programs to reduce the educational gap between boys and girls and to increase school attendance.

COMMENT AND PROGRESS REPORT

18. (U) Post has not observed significant progress by the GDRC in combating child labor since 2005. Enforcement continues to be lax due to institutionalized corruption and bureaucratic disorganization during the final year of the transition government. A new, more coherent and accountable government will need to confront this issue.

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